United Nations A/67/170

General Assembly

Distr.: General
23 July 2012

Original: English

Sixty-seventh session
Item 28 of the provisional agenda*
Advancement of women

Trafficking in women and girls

Report of the Secretary-General

Summary

Pursuant to resolution 65/190 of the General Assembly, the present report provides information on measures by States and activities within the United Nations system to tackle trafficking in women and girls. Conclusions are drawn and specific recommendations for future action made.

* A/67/150.

12-43536 (E) 130812

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I. Introduction

1. In its resolution 65/190, on trafficking in women and girls, the General Assembly urged Governments to enforce and strengthen effective measures to combat and eliminate all forms of trafficking in women and girls. Among other things, it called upon Governments to address the factors that increased the vulnerability of women and girls to being trafficked, to criminalize all forms of trafficking in persons, to strengthen prevention and awareness-raising actions, to support and protect victims of trafficking, to encourage the media and business sectors to cooperate in efforts to eliminate trafficking and to enhance information-sharing and data-collection capacity.

2. The Assembly requested the Secretary-General to submit to it, at its sixty-seventh session, a report that compiled successful interventions and strategies, as well as the gaps, in addressing the gender dimensions of the problem of trafficking in persons. The present report is submitted in accordance with that request and is based on, among other things, information received from States, entities of the United Nations system and other organizations. It covers the period since the previous report (A/65/209).

II. Background

3. According to the United Nations Office on Drugs and Crime (UNODC) in its report *Trafficking in Persons: Global Patterns*, victims of trafficking come from 127 countries and have been identified in 137 countries. In its most recent analysis, entitled "Global estimate of forced labour: results and methodology", the International Labour Organization (ILO) concluded that 20.9 million people, or 3 in 1,000, were in forced labour, including sexual exploitation, from 2002 to 2011. It estimated that 4.5 million people (22 per cent) were victims of forced sexual exploitation and that 14.2 million people (68 per cent) were victims of other forms of forced labour (for example, in economic activities such as agriculture, construction, domestic work and manufacturing). The remaining 2.2 million people (10 per cent) were in State-imposed forms of forced labour (in prisons or in work imposed by State armed forces or by rebel forces). Women and girls constituted 55 per cent of all victims of forced labour and the vast majority (98 per cent) of all victims of sexual exploitation. Furthermore, ILO estimated that 9.1 million victims (44 per cent) had moved either internally or internationally, while 11.8 million (56 per cent) were subjected to forced labour in their place of origin or residence. Cross-border movement was strongly associated with forced sexual exploitation, with more than 74 per cent of victims moving across borders.

4. In February 2012, the International Organization for Migration (IOM) released its 2011 case data on human trafficking based on data collected in its official trafficking database.[1] The data collected from 72 IOM missions showed that IOM had provided assistance to individual trafficked persons on 5,498 occasions, two thirds (62 per cent) of whom were female; that individuals had been assisted by IOM after having been trafficked primarily for the purpose of forced labour

[1] Available from http://ec/europa.eu/anti-trafficking/entity?id=583a96c0-dc7d-4183-a33c-4d01bd9c569d.

(53 per cent) and sexual exploitation (27 per cent);[2] and that individuals were mostly trafficked across borders (64 per cent).

III. Global legal and policy development: resolutions, recommendations and global discussions

5. During the period under review, United Nations intergovernmental and expert bodies continued to adopt resolutions and recommendations to address human trafficking and, in particular, trafficking in women and girls. At its sixty-fourth session, the General Assembly adopted resolution 64/293, in which it adopted the United National Global Plan of Action to Combat Trafficking in Persons, and, at its sixty-fifth session, resolution 65/228, on strengthening crime prevention and criminal justice responses to violence against women, in which it referred to criminalizing trafficking in persons, especially women and girls.

6. At its ninth to thirteenth sessions, the Working Group on the Universal Periodic Review of the Human Rights Council made recommendations relating to trafficking in persons, especially women and girls, for 70 of the 79 countries reviewed. It stressed that there was a need for the States concerned to step up efforts to combat and prevent trafficking and to provide victims/survivors with protection and support. The Working Group recommended that States should evaluate and monitor the measures that they had taken to assess their effectiveness; address the root causes of trafficking; strengthen efforts to prosecute and punish all perpetrators, including public officials; develop their capacity to address trafficking; and take into account the Principles and Guidelines on Human Rights and Human Trafficking of the Office of the United Nations High Commissioner for Human Rights (OHCHR) when developing or implementing measures.

7. The human rights treaty bodies established under the core human rights treaties (the Committee against Torture, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee on the Rights of the Child, the Committee on the Elimination of Discrimination against Women, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights) continued to deal with the issue of trafficking in persons, especially women and children, in their concluding observations on the reports submitted by States parties. They addressed trafficking in several recommendations, expressing concern in relation to the persistence, growth and prevalence of trafficking; the lack of data and research; the fact that most victims were women and young girls trafficked for purposes of sexual and labour exploitation and fraudulent marriage; and the persistently low number of convictions. They made several recommendations, including that States should:

(a) Continue to establish national coordination mechanisms to implement measures to combat and prevent trafficking;

(b) Engage in effective regional and international cooperation and collaboration;

[2] Other purposes were forced marriage and organ trafficking (7 per cent), begging (5 per cent), combined sexual and forced labour (5 per cent) and low-level criminal activities (0.1 per cent). Unknown purposes accounted for 3 per cent.

(c) Strengthen efforts to develop and implement laws, action plans and policies and evaluate the impact of the measures adopted;

(d) Identify, investigate, prosecute and sanction, commensurate with the crimes committed, all individuals responsible for trafficking offences;

(e) Compile comprehensive and disaggregated data relevant to monitoring the implementation of measures at the national level;

(f) Continue to accord priority to capacity-building for professionals involved in the response to trafficking;

(g) Ensure that protection and support services were available for all victims and that the provision of those services was not contingent on the victim's participation in criminal proceedings;

(h) Provide residence permits for all victims of trafficking regardless of their participation in criminal proceedings;

(i) Focus efforts more on prevention and awareness-raising programmes, in particular those addressing the root causes of trafficking in women and girls;

(j) Adequately fund all measures.

8. The special rapporteurs of the Human Rights Council continued to issue recommendations pertaining to trafficking. In her 2010 thematic report (A/HRC/14/32), the Special Rapporteur on trafficking in persons, especially women and children, advocated a human-rights-based approach to combating trafficking through existing regional and subregional cooperation mechanisms, having identified the main challenges and achievements of the regional cooperation mechanisms based on information submitted by regional and subregional organizations in response to a questionnaire. In her 2011 report (A/HRC/17/35), she addressed the right to an effective remedy for trafficked persons and recommended that the draft basic principles on the right to an effective remedy for trafficked persons should serve as practical guidance for States and practitioners on the content and scope of the right to an effective remedy for trafficked persons. Lastly, in her 2012 report (A/HRC/20/18), she analysed the human-rights-based approach to the administration of criminal justice in cases of trafficking in persons, with emphasis on women and children. She provided an overview of trends in State practices, highlighting emerging good practices and common challenges in the prosecution of trafficking cases through perspectives based on gender and age.

9. The Special Rapporteur on contemporary forms of slavery, including its causes and consequences, produced two thematic reports during the reporting period. Her 2010 report (A/HRC/15/20) dealt with domestic servitude and her 2011 report (A/HRC/18/30) with child slavery in the artisanal mining and quarrying sector, citing trafficking as a means by which people became victims in those situations.

10. Other parts of the United Nations system also maintained a strong focus on trafficking. For example, at its tenth and eleventh sessions, the Permanent Forum on Indigenous Issues adopted recommendations to address the problem of trafficking facing indigenous women and girls, in addition to discussing the issue at its expert group meeting on violence against women and girls, in May 2012. In addition, on 3 April 2012, the General Assembly held an interactive thematic dialogue on fighting human trafficking, during which the participants discussed partnership and innovation

as a means to end violence against women and children. The discussion strongly focused on the need to tackle the factors that led to trafficking, such as poverty, and to develop more victim-centric responses.

IV. Measures reported by States and United Nations entities to implement the resolution

11. As at 26 June 2012, 40 States[3] and 13 United Nations entities[4] had responded to the Secretary-General's request for information. They reported on efforts and measures taken to combat trafficking in women and girls, including the ratification of relevant international instruments, the implementation of legislation and activities within the justice system; the development and implementation of national action plans, strategies and coordination mechanisms; bilateral, regional and international agreements and cooperation; prevention measures and awareness-raising; capacity-building; protection and services for victims/survivors; the role of the business sector and the media; and data collection and research.

A. International instruments, legislation and the justice system

12. International law obligates and guides States in the adoption of anti-trafficking laws and policies, and States' adherence to such treaties is indicative of their commitment to action. Of those countries that submitted information for the present report, most are parties to the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Argentina, Austria, Belarus, Belgium, Burkina Faso, Cameroon, Canada, Croatia, Cuba, Egypt, El Salvador, Estonia, Finland, France, Ghana, Greece, Indonesia, Iraq, Ireland, Japan, Liechtenstein, Monaco, Panama, Paraguay, Poland, Qatar, Spain, Sweden, Switzerland, Togo, Tunisia and Turkmenistan). Others are also parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air (Argentina, Croatia, Egypt, El Salvador, Ghana, Greece, Indonesia, Italy, Paraguay, Switzerland and Turkmenistan).

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[3] As at 26 June 2012, replies had been received from 34 States (Argentina, Austria, Belarus, Burkina Faso, Cameroon, Canada, Cook Islands, Croatia, Cuba, Denmark, Egypt, El Salvador, Finland, France, Gabon, Greece, Indonesia, Ireland, Italy, Japan, Jordan, Lebanon, Liechtenstein, Malta, Monaco, Panama, Paraguay, Poland, Qatar, Spain, Sweden, Switzerland, Togo and Tunisia). The contributions of Belgium, Burundi, Estonia, Ghana, Iraq and Turkmenistan, which were received after the deadline for the previous report, are also considered herein.

[4] As at 26 June 2012, replies had been received from 13 United Nations entities (Department of Public Information of the Secretariat, Economic and Social Commission for Asia and the Pacific, Economic and Social Commission for Western Asia, Economic Commission for Latin America and the Caribbean, International Labour Organization, Office of the United Nations High Commissioner for Human Rights, Permanent Forum on Indigenous Issues, United Nations Development Programme, United Nations Educational, Scientific and Cultural Organization, United Nations Entity for Gender Equality and the Empowerment of Women, United Nations Office on Drugs and Crime, United Nations Population Fund and United Nations Trust Fund in Support of Actions to Eliminate Violence against Women).

13. Some States reported that they were also parties to various international labour conventions (Argentina, Belgium, Burkina Faso, Cuba, Egypt, El Salvador, France, Ghana, Paraguay, Poland, Qatar, Spain, Togo and Turkmenistan). The vast majority are parties to other international instruments relevant to efforts to combat trafficking in women and girls, such as the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. Many have acceded to the respective optional protocols. Burkina Faso, Cameroon, Ghana and Togo reported that they were signatories to or had ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

14. The adoption of effective legislation at the national level is critical for effective action against trafficking in women and girls, lest those responsible for trafficking and its consequences continue to act with impunity. In most reporting States, offences relating to trafficking and associated forms of exploitation (e.g. sexual exploitation, forced labour and organ removal) are specified in their penal codes (Argentina, Austria, Belarus, Burundi, Canada, Cook Islands, Croatia, Cuba, Egypt, El Salvador, Estonia, Finland, France, Ghana, Greece, Japan, Lebanon, Liechtenstein, Malta, Paraguay, Poland, Qatar, Spain, Sweden and Tunisia). Iraq advised that it was developing relevant laws. The penal codes of Argentina, Croatia and Spain explicitly state that trafficking offences committed by public servants or State authorities are considered aggravated and may incur harsher sentences. Finland is revising its legislation to better protect victims of human trafficking and Argentina has criminalized all forms of pornography and advertising for commercial sex.

15. Other States have specific legislation criminalizing trafficking and other related offences (Belarus, Belgium, Burkina Faso, Cameroon, Ghana, Indonesia, Ireland, Italy, Panama and Turkmenistan). Paraguay reported that it had developed a comprehensive law against trafficking, which was before its parliament. In Liechtenstein and Sweden, human trafficking laws are extraterritorial, meaning that their citizens or residents can be prosecuted even if an offence is committed abroad. Canada is adopting a similar law. Other States have developed laws to exempt victims/survivors from prosecution for offences that they may have committed while being trafficked and exploited, such as illegal migration (Argentina, Cuba, El Salvador, Greece, Poland, Spain and Sweden). Many States have specifically criminalized, or refer to aggravating circumstances in cases of, trafficking in and related abuses of children (Argentina, Belgium, Canada, Cuba, Gabon, Greece, Monaco and Togo).

16. In addition to criminalizing trafficking within the framework of penal law, an increasing number of countries have established legal measures to protect and support victims/survivors, including temporary residence permits and reflection periods, protection for witnesses during criminal proceedings and compensation for damages. A positive development in this area can be seen in the provision of longer reflection periods, which afford victims/survivors more time to decide whether to participate in criminal proceedings and to seek immediate protection. In some States, this period has been increased from the standard 30 days to between 60 and 180 days (Canada, Denmark, Greece, Ireland and Malta) or for a longer period in the case of girls (Greece). Some States also highlighted the provision of compensation to all victims/survivors of human trafficking (Austria, Croatia, Greece, Malta and Sweden).

17. The enforcement of trafficking laws continues to pose a challenge to many States, as demonstrated by the low number of prosecutions. To be fully effective, the laws must be strictly enforced and cases prosecuted in a timely manner. This means that the justice system must be equipped and trained adequately to deal with such matters. Some countries have established special police and/or prosecution units (Austria, Burundi, Cuba, El Salvador, Jordan, Malta and Sweden). Austria and Lebanon have introduced specially trained and qualified judges and/or courts specializing in trafficking cases. Others have developed special projects or coordination centres focusing on human trafficking within their national investigation bureaux or police forces (Canada, Finland and Ireland). While training programmes and materials on human trafficking, including guidelines for investigation and prosecution for police and prosecutors and training for members of the judiciary, have been developed in almost all the reporting countries, the effective enforcement and application of laws against trafficking require a more specialized approach by the criminal justice system.

18. The United Nations system supported the work of States in developing laws and improving responses to trafficking by law enforcement agencies and the criminal justice system. Many United Nations agencies contributed to the development of national anti-trafficking legislation (the United Nations Development Programme (UNDP) in Argentina and Lesotho and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in Viet Nam), to police reform (UNDP in Bangladesh) and to the incorporation of human rights principles into judicial decisions on gender-based violence (inter-agency working groups on gender and human mobility[5] operating under the auspices of the United Nations country team in Argentina). UNODC produced specific tools for law enforcement officers, prosecutors and judges.

B. National action plans, strategies and coordination mechanisms

19. Dedicated anti-trafficking action plans, policies and programmes to enhance coordination among relevant national sectors and stakeholders are increasingly common. Many contain specific measures to combat trafficking in women and/or children (Argentina, Austria, Belarus, Belgium, Burkina Faso, Croatia, Denmark, Egypt, El Salvador, Estonia, Finland, France, Ghana, Greece, Ireland, Japan, Malta, Paraguay, Poland, Qatar, Spain and Sweden). Some States have committed themselves to developing national action plans but are yet to finalize them (Canada, Iraq, Italy and Panama). Some reported that they were currently working from their second or later iterations of national action plans, which had been improved on the basis of outcomes and learning from previous plans or formal evaluations (Austria, Croatia, Denmark, Estonia, Finland and Poland). Of those States that referred to undertaking formal evaluations or assessments of their action plans, they had yet to either conduct or conclude an evaluation or did not report on whether the measures had proved successful.

[5] The members of the working groups are the Pan American Health Organization/World Health Organization, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women, and the United Nations Population Fund.

20. National action plans and strategies commonly encompass all measures necessary to combat trafficking, including those:

(a) To develop or amend laws;

(b) To effectively investigate and prosecute trafficking;

(c) To identify, protect, support, rehabilitate and reintegrate victims/survivors;

(d) To undertake research, prepare reports and collect data;

(e) To provide training to professionals dealing with victims/survivors;

(f) To raise awareness;

(g) To promote cooperation among all relevant actors.

21. Some action plans contain specific targets and time frames for activities. Some, while initially focusing on sexual exploitation, have been revised and extended to include responses to other forms of forced labour, such as domestic work. In addition, for national plans and strategies to be implemented effectively, and for the impact of activities and actions to be assessed adequately, States must allocate sufficient funds and resources. Most States reporting, however, provided limited information on budgetary allocations.

22. United Nations agencies have assisted some States to formulate their national plans. For example, UNODC, ILO and UN-Women contributed to the formulation by Brazil of a national plan to combat trafficking in persons, and the United Nations Population Fund (UNFPA) provided technical and financial support to the national coordination body in Nigeria to develop a strategic implementation plan to make operational a national policy on trafficking.

23. National mechanisms to improve coordination among all actors involved in the development and implementation of laws and policies are important in efforts to combat trafficking. In most reporting States, such mechanisms include task forces, management or administrative boards, technical commissions, monitoring or ministerial committees and interdepartmental working groups (Argentina, Austria, Belgium, Burkina Faso, Canada, Croatia, Denmark, Egypt, El Salvador, Finland, France, Ghana, Greece, Indonesia, Iraq, Ireland, Italy, Liechtenstein, Malta, Panama, Paraguay, Poland, Qatar, Spain, Sweden and Tunisia). Gabon has a specific mechanism to coordinate efforts to combat trafficking in children. Argentina and Indonesia have created provincial and/or local coordination and response bodies, and Austria is cooperating and coordinating with federal provinces more closely. France reported that it had invited IOM to participate in its national coordination mechanism. Independent oversight of national approaches is also important in responding effectively to trafficking. Finland and Sweden have appointed a national rapporteur to fulfil that function.

C. Bilateral, regional and international agreements and cooperation

24. The significant transnational and cross-border nature of trafficking, in particular in women and girls, makes bilateral, regional and international cooperation critical to efforts to combat and eliminate this scourge. Accordingly, numerous States have stepped up their efforts to expand and strengthen such cooperation, with many describing their participation in internationally coordinated projects or programmes.

25. At the regional level, many States demonstrated strong commitment to cooperation and collaboration to combat trafficking. Some reported on their participation in the Council of Europe Convention on Action against Trafficking in Human Beings, its accompanying directives and other related processes (Austria, Belgium, Estonia, Ireland, Italy, Finland, France, Malta, Spain, Sweden and Switzerland). Finland referred to the Ministerial Declaration on Combating all Forms of Human Trafficking issued by the Organization for Security and Cooperation in Europe. Burkina Faso and Ghana referred to their participation in a multilateral cooperation agreement to combat trafficking in persons, especially women and children, in West and Central Africa. Ghana also reported its participation in a joint Economic Community of West African States/Economic Community of Central African States plan of action to combat trafficking in persons, in particular women and children. El Salvador reported that it had committed itself to implementing the Declaration of San Salvador on Citizen Security in the Americas, which aimed to unite efforts in the region to respond to trafficking in women and girls in the member countries of the Organization of American States. Paraguay referred to an agreement with Argentina and Brazil to address intrafamily violence and trafficking in migrant women at the border area where the three countries met.

26. In terms of regional coordination efforts, Indonesia and Poland reported that they had hosted or co-hosted regional technical expert meetings, both formal and informal, on trafficking in persons. Indonesia reported that it had supported the development of regional conventions on trafficking, and Estonia and Sweden that they had participated in regional task forces. Egypt described its work with countries in the region to update laws on trafficking or implement action plans. Many countries said that they had concluded bilateral cooperation agreements or partnerships, often with a view to improving law enforcement and prosecution efforts (Argentina, Burkina Faso, France, Ghana, Greece, Japan, Poland, Qatar, Togo and Turkmenistan).

27. Some countries referred to the financial assistance or other forms of cooperation that they provided to States, United Nations entities and/or non-governmental organizations to assist in efforts to combat trafficking or to strengthen international capacity in that regard (Austria, Canada, France, Japan, Liechtenstein, Sweden and Switzerland). El Salvador and Ghana reported that they were working with United Nations entities and development partners to share experiences and information on efforts to combat and better respond to trafficking. United Nations entities also reported that they were working together to support international, regional and bilateral cooperation. For example, the Economic Commission for Latin America and the Caribbean, together with UNODC, ILO, IOM, the German Agency for International Cooperation, the United States of America, the Ibero-American Legal Assistance Network and the Chilean national police, hosted an Ibero-American summit of prosecutors to define strategies for international criminal prosecution of perpetrators of trafficking and for protection of victims. In addition, the Economic and Social Commission for Asia and the Pacific reported that its work on trafficking was mainly integrated into its work on international migration, an area that it was primarily responsible for coordinating in South and South-West Asia.

D. Prevention measures and awareness-raising

28. In preventing trafficking, while education and awareness-raising measures are necessary, it is also important to focus on issues that make people, in particular women and girls, vulnerable to trafficking. Education, training and awareness-raising programmes aimed at improving knowledge of trafficking and its risks are the measures most commonly implemented by reporting States. Other activities include the publication of communications materials in the electronic and print media; the production of films and radio and television programmes; the creation of websites; and discussion of trafficking as part of school curricula. Many activities are carried out in multiple languages and in cooperation with partners, including non-governmental organizations, international and regional organizations, national human rights institutions, the media and the business sector.

29. Targeted information campaigns are carried out to tackle the issue of demand. Argentina and Croatia use major sporting events as an opportunity to take on the issue, and France is planning a national campaign on the subject in 2013. Malta and Poland have more targeted awareness-raising initiatives, preferring to focus their efforts on high-risk areas or populations such as detention centres or third-country nationals working in particular industries. Gabon has a national campaign raising awareness of, and condemning, the trafficking of children.

30. Some reporting States stressed that there was a need to address the conditions making women and children vulnerable to being trafficked as part of prevention strategies such as poverty reduction and economic empowerment for women and their families (Burkina Faso, Egypt and Ghana) or to make contributions to addressing those factors in countries of origin (Spain). Overall, however, States provided limited information on their efforts to tackle factors of vulnerability. Most focused on efforts to criminalize trafficking and on their approaches to providing victims/survivors, in particular women and girls, with protection and support services.

31. United Nations entities also supported or conducted prevention and awareness-raising initiatives. For example, in Uruguay, the United Nations Educational, Scientific and Cultural Organization (UNESCO) developed a project to end violence against women and girls by promoting gender equality and women's rights. Others supported anti-trafficking awareness-raising initiatives by national bodies and associations targeted at the public, including young people from vulnerable groups (UNFPA in Bulgaria), or produced media materials to draw attention to international efforts to end trafficking (Department of Public Information of the Secretariat).

E. Capacity-building

32. All professionals who respond to trafficking in women and girls require the capacity to deal with the issue in a gender-sensitive and effective manner. Most States reported that they provided training programmes and produced and issued guidelines and manuals on trafficking in women and girls and, in some cases, on the human rights of women and children. Those were frequently aimed at Government officials (in particular immigration and diplomatic personnel), police officers, prosecutors, judicial personnel, border officials, social workers, health workers, teachers, labour inspectors, staff of detention facilities, military and peacekeeping personnel and others who might come into contact with victims/survivors of

trafficking. The scope of such training included the investigation and prosecution of perpetrators and the identification and protection of and support for victims/survivors. Training was provided for customary and religious leaders in Burkina Faso and for public transport sector workers in Togo. Notably, El Salvador reported that it had trained 40,000 officials.

33. Capacity-building efforts also encompassed the establishment of specialized centres (Italy) and enhanced roles for civil society organizations to build capacity and provide assistance to victims (Finland). Ghana reported that it used existing structures in at-risk communities, such as community-based child protection committees, child labour committees and early childhood care and development committees, to identify those children potentially at risk of being trafficked.

34. ILO and OHCHR frequently conducted training or held capacity-building events on trafficking in cooperation with non-governmental organizations, national human rights institutions, regional and international partners and States. The inter-agency working groups on gender and human mobility operating under the auspices of the United Nations country team in Argentina added trafficking in persons as one of their three key strategic priorities and successfully incorporated gender equality into the c.. ricula of 15 law schools.

F. Protection and services for victims/survivors

35. Victims of trafficking must be correctly identified so that they can receive appropriate protection and support. In some cases, women and girls are not identified as victims but instead as illegal migrants and are then detained and deported. This problem notwithstanding, progress has been made. Some States described efforts to better identify victims by building trust with high-risk groups (Liechtenstein), establishing specialist centres (Poland), cooperating with other countries (Italy) or working more intensively with diplomatic and migration officials (Croatia).

36. In an increasing number of countries, protection and support services are available for victims/survivors of trafficking, in many cases specifically for women or children. Such services may include medical, psychological, legal, social or financial assistance, in addition to witness protection and shelters, which are often run in cooperation with non-governmental organizations and with financial support from States (Argentina, Austria, Belarus, Belgium, Burkina Faso, Canada, Croatia, Denmark, Egypt, El Salvador, Estonia, Finland, France, Ghana, Indonesia, Ireland, Italy, Japan, Jordan, Lebanon, Liechtenstein, Paraguay, Poland, Spain, Sweden, Togo, Tunisia and Turkmenistan). To assist in the provision of support services, Belgium and Finland developed national referral mechanisms or procedures to ensure ease of access for victims/survivors. Belarus described a formal rescue process for minors reported missing and suspected of being trafficked, and Qatar reported that it had a search and rescue team for the protection of women and children who were victims of trafficking. Some States have also developed specialized support services or centres for children who are victims of trafficking and/or abuse (Austria, Belgium, Canada, Croatia, Denmark, Greece, Malta, Sweden and Togo). While most States reported that services were available for victims/survivors, limited information was provided on the accessibility of such services and on the funding allocated thereto.

37. Some States reported that they were undertaking programmes for the rehabilitation, reintegration and return of victims/survivors, in cooperation with IOM and/or non-governmental organizations, to ensure sensitive and victim-centred responses. In Cameroon, such programmes included vocational training. Indonesia reported that it had developed a complaints mechanism for women victims of trafficking and Jordan that it was planning to do so. Monaco and Spain reported on processes available as part of their protection regimes to inform victims of their rights before and during criminal proceedings.

38. Most reporting States referred to the provision of temporary residence permits that took effect after a reflection period. With a few notable exceptions, the provision of temporary or extended stay (although not the provision of immediate protection support and assistance) was contingent on the cooperation of the victims/survivors with law enforcement officials and their participation in prosecution. This remains a serious barrier and continuing challenge to the development of a victim-centred and human-rights-based response to trafficking. Croatia and Greece referred to an exception for cases based on humanitarian grounds and Sweden and Switzerland to an exception based on the need for protection in other exceptional circumstances. Italy noted that there was a special residence permit for up to one year for victims of trafficking, which was part of a social protection package and independent of any requirement for victims/survivors to report or provide information on trafficking. Canada reported that victims of trafficking identified in that country were not required to testify against their trafficker to gain temporary or permanent residence.

39. United Nations entities also directly or indirectly contributed to the delivery of direct protection and support services to victims of trafficking. Such support included the provision of free legal assistance through the creation of legal aid desks or mobile legal clinics (UNFPA in Nepal) or projects to enhance the prevention of trafficking and to protect and assist victims/survivors of trafficking and other forms of violence against women and girls (IOM in Ethiopia, UNFPA and the Office of the United Nations High Commissioner for Refugees).

40. United Nations agencies also contributed to protecting and supporting individuals by providing funds to non-governmental organizations to enhance direct service delivery. The three main trust funds managed and coordinated by United Nations agencies to provide such grants are the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (administered by OHCHR), the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women (administered by UN-Women) and the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children (administered by UNODC). OHCHR reported that, over the past two years, more than 25 per cent of grants from the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery had been awarded to non-governmental organizations implementing projects related to trafficking. UN-Women reported that the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women had funded, among other initiatives, the development of integrated services for trafficking victims/survivors in Bolivia (Plurinational State of), the Republic of Moldova, Tajikistan and various countries in the Middle East. UNODC reported that the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, was funding 12 proposals from non-governmental organizations supporting victims.

G. Role of the business sector and the media

41. States recognize the significant role that the private sector can play in efforts to combat and prevent trafficking in women and girls and the need to increase collaboration, in particular with the tourism industry and Internet service providers. For example, Japan and Spain work with their national associations of travel agents to raise awareness of trafficking in persons, and Spain also works closely with organizers of key sporting events. In some cases, the business community creates and adopts self-regulatory mechanisms, such as codes of conduct, and puts in place measures and tools to prevent and combat trafficking. In its national action plan to combat trafficking, Spain aims to reduce advertising of sexual services in the media and has successfully negotiated with 12 newspapers to remove such advertisements.

42. The media and other business sector providers are important partners in raising awareness and disseminating information. Italy and Malta reported that they were working with the private sector on awareness-raising campaigns, while Croatia reported that media representatives were members of the national coordination mechanisms and, as such, actively involved in the development of strategic documents and policies to suppress trafficking. In addition, as part of its national plan, training for media representatives was conducted periodically to ensure sensitive and accurate reporting about trafficking and victims/survivors. Other countries reported that they had formed associations with the media. In Canada, law enforcement officials, the media and community members were working together to combat crime, including trafficking in persons, through the Canadian Crime Stoppers Association. While States acknowledged the importance of working with the business sector and the media, limited information was provided on further and more focused efforts.

H. Data collection and research

43. Research, and availability and exchange of data, are essential for the development and implementation of better legislation and policies and other targeted measures, including services for victims/survivors and impact assessments. Although States have previously acknowledged that trafficking in women and girls remains underdocumented, a number provided some available data on victims/survivors, investigations, prosecutions and convictions in cases of human trafficking. In addition to the fact that the number of cases coming to the attention of the police, courts or service providers is small, data collection methodologies differ and estimates of the number of victims/survivors vary, rendering it difficult to share information and approach the problem more systematically.

44. Some States described efforts to initiate, enhance or diversify data collection and analysis, such as through research programmes, training or studies, on occasion in cooperation with research institutes. States reported that they collected data, some of which were disaggregated, but mainly focused on administrative data from the criminal justice system (Argentina, Austria, Belarus, Burkina Faso, Canada, Croatia, Estonia, Finland, France, Ghana, Iraq, Ireland, Italy, Japan, Paraguay, Poland and Spain). Fewer countries reported collecting broader-range data, such as the identified causes of trafficking in women and children, the nationality of victims/survivors, forms of exploitation or forced labour and demand for services of trafficking

victims/survivors. Argentina reported that it made its collected disaggregated data available publicly.

45. Some States highlighted promising steps to strengthen the broader knowledge base on trafficking. El Salvador reported that it had enacted a law to establish a national system for collecting data and statistics on violence against women, which would facilitate uniform information collection. Egypt said that it planned to establish a dedicated data unit as part of its national action plan and Jordan that it collaborated with IOM to establish a specific database containing information on victims of trafficking. Finland reported that its national rapporteur was mandated to collect data and report periodically to both the Government and to the parliament. Italy reported that the major function of its observatory was to provide comprehensive analysis on trafficking. France said that it was centralizing its data collection process and making it more uniform across agencies. Paraguay said that it sought to better understand internal movements of trafficking victims by conducting a mapping study to identify the routes that victims of trafficking took while in the country. Austria and Estonia, however, both identified the continuing challenge in data collection, in particular the lack of coordination and the limited reflection of the problem provided by the data available.

46. United Nations agencies also contributed to the overall bank of knowledge on trafficking by collecting data and undertaking research to better understand and improve responses to trafficking. The work included carrying out mapping studies to identify vulnerable districts (UN-Women in India), compiling and maintaining trafficking statistical databases (UNESCO and IOM), conducting studies and projects with or within specific sectors to advocate change (UNESCO in Afghanistan and the Economic and Social Commission for Western Asia) and developing databases on the jurisprudence of human rights mechanisms (OHCHR) or outcomes of cases involving trafficking (UNODC).

V. United Nations efforts to achieve greater coordination and develop capacity to support national efforts

47. Intergovernmental and expert bodies continued to develop new, or improve existing, ways to better coordinate national and international efforts to combat trafficking, in particular in women and girls. For example, the Global Initiative to Fight Human Trafficking facilitated by the United Nations Office on Drugs and Crime continued to carry out activities to support States to combat trafficking, including by assisting them to implement the relevant conventions and protocols and the United Nations Global Plan of Action to Combat Trafficking in Persons. The initiative provided assistance in terms of undertaking advocacy to help to raise awareness of human trafficking, increasing knowledge of human trafficking to feed into global, regional and national policymaking, coordinating among international organizations and innovative public-private partnerships and developing the capacity of stakeholders. Its most recent strategic plan, covering the period 2012-2014, was presented to the United Nations in March 2012. It outlined the core activities for the relevant period, focusing on knowledge management, strategic support and interventions and global dialogue.

48. The Inter-Agency Cooperation Group against Trafficking in Persons, currently chaired by the United Nations Children's Fund and chaired by OHCHR in 2011,

held several meetings and continued its work to improve cooperation and coordination between United Nations entities and other international organizations to facilitate a holistic approach to preventing and combating trafficking in persons, including the protection of, and support for, victims/survivors of trafficking. During the reporting period, it produced a significant analytical review outlining developments over the 10 years since the adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children[6] and is preparing discussion papers on issues including the international legal framework around trafficking, focusing on complementarity between legal regimes; evaluating the impact of anti-trafficking responses and assessing progress in anti-trafficking work; preventing trafficking in persons by addressing demand; tackling vulnerability at points of destination and origin; and providing effective remedies for trafficked persons.

49. OHCHR reported on the coordination efforts of the Alliance Expert Coordination Team chaired by the Special Representative and Coordinator for Combating Trafficking in Human Beings at the Organization for Security and Cooperation in Europe. The Team provides a platform for coordination and collaboration on issues related to trafficking through the organization of international and regional events, including an annual high-level conference. In 2011, the conference was devoted to the prevention of trafficking for labour exploitation.

VI. Conclusions and recommendations

A. Conclusions

50. **Actions continue to be taken at all levels to combat trafficking in persons, many of which focus on trafficking in women and girls. Adherence to relevant international instruments continues to increase and most reporting States have carried out legal reforms to varying degrees.**

51. **States are making efforts towards ensuring that existing and new laws are being enforced consistently and effectively and that police officers, prosecutors and the judiciary are adequately trained. An effective response to the complex and high-impact crime that is trafficking requires highly developed and specialized understanding and processes, including a gender-sensitive approach to investigation and prosecution. Efforts to strengthen the effectiveness of the critical players in the criminal justice systems around the world notwithstanding, prosecution rates remain low, while the number of trafficking victims is on the rise. Efforts must continue to ensure the effective and gender-sensitive enforcement of anti-trafficking legislation and to hold perpetrators accountable for their crimes.**

52. **National action plans and accompanying coordination mechanisms are critical to ensuring that the response to trafficking is systematic and consistent. Many States have developed national action plans and established national coordination bodies to assist in implementing plans, policies or programmes. Some have developed and/or implemented their second or third action plan and have improved their responses through lessons learned from previous plans. Nevertheless, States provided extremely limited information on the outcome of**

[6] Available from www.ungift.org/doc/knowledgehub/resource-centre/ICAT/2010_ICAT_Paper-1.pdf.

their evaluations. Such information, if provided, could be shared more broadly to assist other States in developing successful initiatives and strategies. Some States, however, have shown promising practices, such as the establishment of independent oversight mechanisms through the introduction of national rapporteurs.

53. Many States are parties to various regional, multilateral and bilateral agreements and arrangements. These arrangements are critical in the light of the transnational and cross-border nature of trafficking. In addition, the sharing of information and good practices globally, regionally and bilaterally is particularly significant as States continue to build their capacity to respond to trafficking.

54. While many States have launched educational programmes, awareness-raising campaigns and other initiatives, there is a need to reinforce efforts and boost resources in the area of prevention and to maintain political commitment at all levels. Overall, States provided limited information on how their prevention activities involved tackling the root causes of trafficking. Some, however, reported on measures to address the demand that leads to trafficking in women and girls, which is an emerging practice with regard to this issue and requires greater focus.

55. Many States are finding it difficult to identify victims of trafficking and some victims are being detained as illegal migrants. When identified, however, victims/survivors require timely access to specialized support services. Many States have established or enhanced support services for victims/survivors, especially women and children, reporting that immediate protection and support are available to all victims/survivors, irrespective of their ability or willingness to assist in criminal proceedings. This is a positive development in efforts to tackle trafficking in women and girls from a human rights perspective.

56. With the exception of the media, a limited number of States reported collaboration with the private sector, in particular sectors dealing with the new and emerging technologies increasingly being used by traffickers.

57. Increased efforts to improve the knowledge base on the scope and nature of trafficking in women and girls notwithstanding, data continue to be unreliable and deficient or primarily focused on outcomes of the criminal justice system. Statistical data need to be comprehensive and to be disaggregated by sex, race, age, ethnicity and other relevant characteristics. Data gathered more consistently and uniformly by States allow for a more accurate global assessment of the impact of trafficking and identify relevant linkages and flows between States to assist in the development of more targeted solutions.

B. Recommendations

58. All States should ensure that specific laws criminalizing all forms of trafficking in persons, especially women and girls, are developed in accordance with the standards set by the United Nations Convention against Transnational Organized Crime and its associated protocols and that sentences and penalties are commensurate with those for other serious crimes. States should also include stiffer penalties when the victim is a child and/or when trafficking is perpetrated by public officials or State authorities.

59. **In addition to systematic training for relevant personnel, States should provide a specialized response to trafficking through the creation of specialized police investigation units, prosecution offices, judges and/or courts to assist in efforts to increase the number of investigations and prosecutions. In seeking greater engagement of potential witnesses in criminal proceedings, all States should introduce witness protection programmes for victims, and, where relevant, their families.**

60. **States should ensure that they have an up-to-date, gender-sensitive and comprehensive national plan and that they have adequate national coordination mechanisms that are multisectoral and comprise relevant stakeholders and service providers. States should also ensure that their national action plans are adequately funded and are monitored and evaluated regularly to identify and assess the impact of their efforts to combat trafficking. States should consider establishing an independent oversight position such as a national rapporteur or ombudsman to ensure that plans and strategies are effective.**

61. **States should continue to conclude and implement bilateral, multilateral and regional agreements and arrangements to ensure effective action in all areas, including law enforcement and prosecution, prevention, victim support and assistance, and the exchange of data, information and good practices in combating trafficking in women and girls. States should also increase international cooperation to better identify victims of trafficking and work harder to build the capacity of relevant personnel, in particular immigration officers and border officials.**

62. **In developing and implementing prevention measures, States should take greater action to deal with the issues that make people, in particular women and girls, vulnerable to trafficking, especially in relation to reducing poverty and providing access to education. States should also consider targeting awareness-raising measures at groups at risk of becoming victims of trafficking and addressing the issue of demand.**

63. **In enhancing efforts to protect and support victims/survivors and ensuring a human-rights-based approach to trafficking in women and girls, States should extend the reflection period for victims of trafficking; protect victims from prosecution for illegal migration, labour law violations or other acts; grant residence permits to victims irrespective of their participation in criminal proceedings; and provide appropriate long-term support and rehabilitation for victims so that they are able to reintegrate into society and begin new lives.**

64. **States should continue to work with the media, but should also encourage and foster relationships with other private-sector organizations, in particular with regard to the adoption of self-regulatory mechanisms and codes of conduct by industries.**

65. **States should develop processes to enhance and intensify data collection and to improve and harmonize methodologies for monitoring and evaluation. In working towards improved data collection processes, States should give consideration to greater global consistency and uniformity in the collection and analysis of data to improve coordinated international efforts to combat trafficking, in particular in women and girls.**